

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-11 remain pending in the application.

#### **Claim Objections**

In this response the claims have been amended in manner which the terms H, S, V, H, L, S, X, Y and Gx and Gy have been identified and establish how they are linked to the pixels of the original and intermediate images.

#### **Rejections under 35 USC § 101**

Claims 1-11 are rejected under 35 USC § 101 failing to be tied to a particular machine or transform the underlying subject matter into a different state or thing. This rejection is, to the degree that it is still pertinent to the claims as amended in this response, respectfully traversed.

More specifically, the claims have been amended, in particular independent claims 1 and 5, to make it clear that they call for a method for converting an originally colored image to a monochromatic one in order to minimize the loss of information imparted to the image by this conversion.

The method claimed is thus a process to modify a color image made of pixels, each pixel being represented by various sets of components depending on the color space used, and convert this color image into a monochromatic image made of pixels represented by only one component which is a function of components of the corresponding pixel of the original colored image. Such a process applied to an image to produce a modified monochromatic image is submitted as meeting the transformation requirement in accordance with *In re Bilski*, 545 F.3d. 943, 88 USPQ2d 1385 (Fed. Cir. 2008).

#### **Rejections under 35 USC § 112**

The amendments to the claims which obviate the objections are also submitted as also overcoming the rejection under 35 USC § 112, second paragraph.

Conclusion

Inasmuch as the claim objection, and the rejections under 35 USC § 112, second paragraph and 35 USC § 101 are overcome by the amendments set forth above, it is respectfully submitted that the present application is in condition for allowance. A Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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